

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SAMUEL LASSOFF, on behalf of himself, and other U.S. residents similarly situated,	:	
	:	
	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 06-3542
YAHOO, INC. & IAC INTERACTIVE CORP.	:	
	:	
Defendants.	:	

**PLAINTIFFS' RESPONSE TO DEFENDANT YAHOO'S MOTION
TO DISMISS PLAINTIFFS' CLASS ACTION COMPLAINT
PURSUANT TO FED.R.CIV.P. 12(b)(1),(3) AND (6)**

Plaintiffs, by and through their undersigned counsel, respectfully request that this Court deny Defendant Yahoo's Motion to Dismiss Plaintiffs' Class Action Complaint Pursuant to Fed.R.Civ.P. 12(b)(1),(3) & (6).¹ In support of Plaintiffs' Response To Defendant's Motion, Plaintiffs hereby incorporate by reference the averments contained in the following Memorandum of Law.

WHEREFORE, Plaintiffs respectfully request that this Court deny Defendant's Motion to Dismiss their Class Action Complaint and enter the attached Order.

Respectfully submitted,
LASSOFF LAW ASSOCIATES, LLC

By: \s\ Samuel J. Lassoff
Samuel J. Lassoff, Esquire
Attorney for Plaintiffs

¹ Two forms of Order are provided with this submission. The first proposed form of Order is provided in connection with Plaintiffs request that Defendant's motion be denied. The second proposed Order is provided in connection with Plaintiffs' alternative argument set forth, *infra*, in the attached Memorandum of Law, where Plaintiffs request leave of Court to amend their Class Action Complaint and obtain discovery from Defendant Yahoo.